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E. ROBERT SEAVER, CLERK

APPENDIX

Supreme Court of the United States

~~OCTOBER TERM, 1970~~ 1971

No. ~~5338~~ 69-5046

ROBERT APODACA, HARRY MORGAN COOPER, JR., and JAMES ARNOLD MADDEN,

Petitioners,

vs.

OREGON,

Respondent.

ON WRIT OF CERTIORARI TO THE COURT OF APPEALS OF OREGON

PETITION FOR CERTIORARI FILED JUNE 5, 1970
CERTIORARI GRANTED NOVEMBER 9, 1970

Supreme Court of the United States

OCTOBER TERM, 1970

No. 5338

ROBERT APODACA, HARRY MORGAN COOPER, JR., and JAMES ARNOLD MADDEN,

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Petitioner Robert Apodaca

Sept. 17, 1968—Indictment filed in Circuit Court of State of Oregon for Marion County.

Oct. 11, 1968—Jury trial of action commenced.

Oct. 11, 1968—Jury returns 11-1 verdict.

Oct. 14, 1968—Petitioner sentenced to 5 years in custody of Oregon Corrections Division.

Dec. 13, 1968—Petitioner files Notice of Appeal.

Dec. 24, 1969—Opinion and judgment of the Oregon Court of Appeals.

Jan. 27, 1970—Letter of Court of Appeals denying Petition for Rehearing.

March 10, 1970—Letter of Supreme Court denying Petition for Review.

Petitioner Harry Morgan Cooper, Jr.

Aug. 12, 1968—Indictment filed in Circuit Court of State of Oregon for Lane County.

Nov. 14, 1968—Jury trial of action commenced.

Nov. 15, 1968—Jury returns 10-2 verdict.

Dec. 23, 1968—Petitioner sentenced to 3½ years in custody of Oregon Corrections Division.

Feb. 19, 1969—Petitioner files Notice of Appeal.

Dec. 24, 1969—Opinion and judgment of the Oregon Court of Appeals.

Jan. 27, 1970—Letter of Court of Appeals denying Petition for Rehearing.

March 10, 1970—Letter of Supreme Court denying Petition for Review.

Chronological List of Relevant Docket Entries

Petitioner James Arnold Madden

Sept. 17, 1968—Indictment filed in Circuit Court of State of Oregon for Lane County.

Dec. 10, 1968—Jury trial of action commenced.

Dec. 10, 1968—Jury returns 11-1 verdict.

Dec. 27, 1968—Petitioner sentenced to 15 years in the Oregon State Penitentiary.

Jan. 15, 1969—Petitioner files Notice of Appeal.

Dec. 24, 1969—Opinion and judgment of the Oregon Court of Appeals.

Jan. 27, 1970—Letter of Court of Appeals denying Petition for Rehearing.

March 10, 1970—Letter of Supreme Court denying Petition for Review.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MARION

No. 66044

THE STATE OF OREGON, PLAINTIFF

vs.

ROBERT APODACA, DEFENDANT

INDICTMENT—Filed Sept. 17, 1968

ROBERT APODACA is accused by the Grand Jury of the County of Marion and State of Oregon, by this indictment of the crime of ASSAULT WITH A DANGEROUS WEAPON committed as follows:

The said ROBERT APODACA on the 27th day of April, 1968, in the County of Marion and State of Oregon then and there being, and being then and there armed with a dangerous weapon, to wit: a knife, did unlawfully and feloniously assault one Ronald Joe Swanson, by cutting said Ronald Joe Swanson with said dangerous weapon, contrary to the Statutes in such cases made and provided, and against the peace and dignity of the State of Oregon.

Dated at Salem, in the county aforesaid, this 17th day of September, 1968.

* * * *

DEFENDANT'S ARRAIGNMENT AND PLEA—
Filed September 19, 1968

[Caption Omitted in Printing]

On this 19th day of September, 1968, this matter coming on to be heard, the State appearing by Gary D. Gortmaker, District Attorney for Marion County, Oregon, defendant, who now declares his true name to be the